

## 34.02 COMMERCIAL 2 ZONE

15/07/2013  
VC100

Shown on the planning scheme map as **B3Z, B4Z** or **C2Z**.

### Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

### 34.02-1 Table of uses

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#### Section 1 - Permit not required

Use	Condition
Cinema	The site must adjoin, or have access to, a road in a Road Zone.
Cinema based entertainment facility	The site must adjoin, or have access to, a road in a Road Zone.
Food and drink premises	The leasable floor area must not exceed 100 square metres.
Industry (other than Materials recycling and Transfer station)	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.  The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre: <ul style="list-style-type: none"><li>▪ The threshold distance, for a purpose listed in the table to Clause 52.10.</li><li>▪ 30 metres, for a purpose not listed in the table to Clause 52.10.</li></ul>
Informal outdoor recreation	
Mail centre	
Minor utility installation	
Office	
Postal agency	
Railway	
Restricted retail premises	
Shop (other than Adult sex bookshop, Restricted retail premises and Supermarket)	Must adjoin, or be on the same land as, a supermarket when the use commences.  The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.  The site must adjoin, or have access to, a

<b>Use</b>	<b>Condition</b>
	road in a Road Zone.
<b>Supermarket</b>	The leasable floor area must not exceed 1800 square metres.  The site must adjoin, or have access to, a road in a Road Zone.  Must be on land within an urban growth boundary and in metropolitan Melbourne.
<b>Trade supplies</b>	
<b>Tramway</b>	
<b>Warehouse (other than Mail centre)</b>	Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.  The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre: <ul style="list-style-type: none"> <li>▪ The threshold distance, for a purpose listed in the table to Clause 52.10.</li> <li>▪ 30 metres, for a purpose not listed in the table to Clause 52.10.</li> </ul>
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01.

## **Section 2 - Permit required**

<b>Use</b>	<b>Condition</b>
<b>Adult sex bookshop</b>	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
<b>Agriculture (other than Apiculture and Intensive animal husbandry)</b>	
<b>Caretaker's house</b>	
<b>Education centre</b>	
<b>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</b>	
<b>Materials recycling</b>	
<b>Motel</b>	
<b>Place of assembly (other than Carnival, Cinema and Circus)</b>	
<b>Residential hotel</b>	
<b>Retail premises (other than Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies)</b>	

Use	Condition
<b>Supermarket – if the section 1 conditions are not met</b>	The leasable floor area must not exceed 1800 square metres if located on land outside an urban growth boundary and in metropolitan Melbourne.  The site must adjoin, or have access to, a road in a Road Zone.
<b>Transfer station</b>	The land must be at least 30 metres from land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
<b>Utility installation (other than Minor utility installation and Telecommunications facility)</b>	
<b>Any other use not in Section 1 or 3</b>	

### Section 3 - Prohibited

Use
<b>Accommodation (other than Caretaker's house, Motel and Residential hotel)</b>
<b>Hospital</b>
<b>Intensive animal husbandry</b>
<b>Major sports and recreation facility</b>
<b>Motor racing track</b>

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#### Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

#### 34.02-3

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#### Subdivision

A permit is required to subdivide land.

#### 34.02-4

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#### Buildings and works

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.

- An awning that projects over a road if it is authorised by the relevant public land manager.

### **Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

## **34.02-5**

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### **Application requirements**

#### **Use**

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval, or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1995 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

#### **Building and works**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.

- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

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#### **Exemption from notice and review**

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

### **34.02-7**

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#### **Decision guidelines**

##### **General**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The interface with adjoining zones, especially the relationship with residential areas.

##### **Use**

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

##### **Subdivision**

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

##### **Building and works**

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.

- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Outdoor storage, lighting, and storm water discharge.
- The design of buildings to provide for solar access.

### **34.02-8**

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### **Advertising signs**

Advertising sign requirements are at Clause 52.05. This zone is in Category 1.

*Notes:*

*Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.*

*Check whether an overlay also applies to the land.*

*Other requirements may also apply. These can be found at Particular Provisions.*